

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	— <u>Affirmation</u>
- v. -	:	08 Cr. 0099 (BSJ)
JOSE REYES-CRUZ,	:	
a/k/a "Jose Reyes,"	:	
a/k/a "Axel Maldonado,"	:	
Defendant.	:	

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SOUTHERN DISTRICT OF NEW YORK, ss:

DANIEL S. GOLDMAN, being duly sworn, deposes and says that he is an Assistant United States Attorney in the Office of Michael J. Garcia, United States Attorney for the Southern District of New York; that he is in charge of the above-entitled matter; that one JOSE REYES-CRUZ, now detained at the Gouverneur Correctional Facility, Gouverneur, New York, has been charged with illegal reentry into the United States.

By this affirmation, the Government seeks a writ of habeas corpus ad prosequendum, so that JOSE REYES-CRUZ, the defendant, can be brought before this Court to be available for prosecution in the matter captioned United States v. Jose Reyes-Cruz, a/k/a "Jose Reyes," a/k/a "Axel Maldonado", 08 Cr. 0099. No previous application for similar relief has been made.

WHEREFORE, your deponent respectfully requests that a writ of habeas corpus ad prosequendum issue, directing the Warden of the Gouverneur Correctional Facility, Gouverneur, New York, the United States Marshal for the Southern District of New York,

or any other authorized law enforcement officers, to produce the above-named defendant to the custody of the Warden of the Metropolitan Correctional Center or the person in charge there, to be available for prosecution, as soon as the defendant is available, and to appear as necessary thereafter in that case until JOSE REYES-CRUZ, a/k/a "Jose Reyes," a/k/a "Axel Maldonado," shall have been discharged or convicted and sentenced.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT, PURSUANT TO TITLE 28, UNITED STATES CODE, SECTION 1746.

\_\_\_\_\_/s/\_\_\_\_\_  
DANIEL S. GOLDMAN  
Assistant United States Attorney  
Southern District of New York  
Tel.: (212) 637-2289

Dated: February 12, 2008  
New York, New York